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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 TURTLE PEAK, LLC, a Nevada limited  
9 liability company,

10 Plaintiff,

11 v.

12 PHYTAGE LABS, LLC, a Florida limited  
13 liability company; GEORGE RIVERA, an  
individual; DOES I to X, inclusive; and ROES  
I to X, inclusive,

14 Defendants.

CASE NO: 2:19-CV-01476-GMN-NJK

15 **STIPULATION AND ORDER FOR  
DISMISSAL WITH PREJUDICE**

16 Plaintiff TURTLE PEAK, LLC, by and through its counsel of record, the law firm Wiley  
17 Petersen, and Defendants PHYTAGE LABS, LLC and GEORGE RIVERA, by and through their  
18 counsel of record, the law firm Wallin Hester, PLC, hereby stipulate and agree to the dismissal  
19 of this action, with prejudice, and with each party to bear their own costs and attorneys' fees.  
20 The parties further agree no party is to be considered a prevailing party in this action for the  
21 purposes of seeking an award of attorneys' fees or costs pursuant to any applicable rules,  
22 statutes, or laws, whether local, state, or federal.

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Therefore, the parties respectfully request the Court enter an order pursuant to this stipulation and dismiss this action with prejudice.

WILEY PETERSEN

## **WALLIN HESTER, PLC**

/s/ Jason M. Wiley  
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## ORDER

## **IT IS SO ORDERED.**

Dated this 17 day of October, 2019.

Gloria M. Navarro, District Judge  
United States District Court